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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,121	08/08/2006	Holger Eggers	PHDE030131US	4644
38107 PHILIPS INTE	7590 07/02/2007 CLLECTUAL PROPER	EXAMINER		
595 MINER ROAD			ARANA, LOUIS M	
CLEVELAND, OH 44143			ART UNIT	PAPER NUMBER
			2859	
•			· .	
			MAIL DATE	DELIVERY MODE
			07/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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		Application No.	Applicant(s)			
Office Astion Occurre		10/554,121	EGGERS ET AL.			
	Office Action Summary	Examiner	Art Unit			
		Louis M. Arana	2859			
Period f	The MAILING DATE of this communication app or Reply	pears on the cover sheet w	vith the correspondence address			
WHI0 - External after af	HORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING Diamsions of time may be available under the provisions of 37 CFR 1.1 r SIX (6) MONTHS from the mailing date of this communication. O period for reply is specified above, the maximum statutory period oure to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing ned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUN 36(a). In no event, however, may a will apply and will expire SIX (6) MO a. cause the application to become A	ICATION. I reply be timely filed INTHS from the mailing date of this communication. INTHS FROM THE MAILING ASSOCIATION ASSOCIATION ASSOCIATION ASSOCIATION ASSOCIATION ASSOCIATION ASSOCIATION ASSOCIATION ASSOCIATION ASSO			
Status						
1)🛛	Responsive to communication(s) filed on 21 O	ctober 2005.				
2a) <u></u> ☐	This action is FINAL . 2b)⊠ This action is non-final.					
3)[
•	closed in accordance with the practice under E	Ex parte Quayle, 1935 C.I	D. 11, 453 O.G. 213.			
Disposit	tion of Claims		•			
4)🖂	Claim(s) 1-10 is/are pending in the application					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5)	5) Claim(s) is/are allowed.					
	Claim(s) <u>1-9</u> is/are rejected.					
_	Claim(s) <u>10</u> is/are objected to.					
8)[Claim(s) are subject to restriction and/o	r election requirement.				
Applicat	tion Papers					
9)⊠	The specification is objected to by the Examine	er.				
10)🖂	10)⊠ The drawing(s) filed on <u>21 October 2005</u> is/are: a) accepted or b)⊠ objected to by the Examiner.					
	Applicant may not request that any objection to the					
44)[Replacement drawing sheet(s) including the correct					
11)[The oath or declaration is objected to by the Ex	caminer. Note the attache	d Office Action or form PTO-152.			
Priority	under 35 U.S.C. § 119	•				
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)⊠ All b)□ Some * c)□ None of:						
	1. Certified copies of the priority documents have been received.					
	2. Certified copies of the priority documents have been received in Application No					
	3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).					
* See the attached detailed Office action for a list of the certified copies not received.						
			. 10001704.			
Attachmer	, ,					
1)	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948)		Summary (PTO-413) (s)/Mail Date			
3) 🔯 Infor	mation Disclosure Statement(s) (PTO/SB/08)	5) Notice of	Informal Patent Application			
Pape	er No(s)/Mail Date <u>10/21/05</u> .	6)	·			

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The abstract of the disclosure is objected to because it should be in a separate page. The abstract of record is that of the corresponding PCT application and it does not conform to US practice. Correction is required. See MPEP § 608.01(b).

Drawings

3. The drawings are objected to because all rectangular boxes in Fig 3 should be labeled. Box 22 for example should be labeled "CONTROL UNIT". See 37 CFR 1.83. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

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pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. Claim 10 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to their base claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim 10 has not been further treated on the merits.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 6. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Prussmann et al. P.N. 6,545,472 (Prussmann).

Prussmann discloses a Magnetic Resonance Image reconstruction method. The method is a conjugate-gradient method where undersampled data from several coils is reconstructed iteratively by the solution of a system of linear equations. See lines 53-68 of col. 4 and lines 1-23 of col. 5. Note that the iterations begin not with a zero image but with an estimate of the image as described in the last paragraph of col. 9. Note also that

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the sampling need not be Cartesian as described in col. 3. Prussmann meets all the limitations of the claims at issue.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis M. Arana whose telephone number is (571) 272-2236. The examiner can normally be reached on M-Thurs. Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or \$671-272-1000.

Louis M. Arana Primary Examiner Art Unit 2859

lma 6/22/07